

CR 1 YB
1958

EDMOND CLOUTIER, C.M.G., C.A., D.S.P.

SENATE OF CANADA

BILL Z.



For the purpose of the construction of a bridge over the
St. Lawrence River near the city of Trois-Rivières.

Read a first time, Thursday, 23 April, 1958.

Honourable Senator DESURMONT.

EDMOND CLOUTIER, C.M.G., C.A., D.S.P.
CHIEF'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA 1958

CA1 YB
B37

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE SENATE OF CANADA

BILL Z⁹.



An Act respecting the construction of a bridge over the
St. Lawrence River near the city of Trois-Rivières.

Read a first time, Thursday, 26 April, 1956.

Honourable Senator DESSUREAULT.

THE SENATE OF CANADA

BILL Z^o.

An Act respecting the construction of a bridge over the
St. Lawrence River near the city of Trois-Rivières.

Preamble.

WHEREAS it is in the interest of the cities, towns, villages and parishes situated in the electoral districts of Trois-Rivières, Maskinongé, Champlain, Saint-Maurice-Lafèche, Nicolet, Lotbinière, Drummond-Arthabaska, and of the whole province of Quebec, to construct a bridge 5
connecting both shores of the St. Lawrence River in the vicinity of the city of Trois-Rivières;

And whereas to assure the construction, maintenance and operation of such bridge a corporation composed of six members and named "La Corporation du Pont de Trois- 10
Rivières", having the powers necessary for those purposes, has been created by a Special Act of the Legislature of the province of Quebec, assented to the 2nd of February, 1956, a copy of which is set forth in the Schedule to this Act;

And whereas an Act of the Parliament of Canada, 15
authorizing the construction and maintenance of the said bridge and approving the site thereof, is necessary: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 20

Construction
of bridge
authorized.

1. Subject to the provisions of this Act, La Corporation du Pont de Trois-Rivières is authorized to construct, maintain and operate a bridge and its approaches, for the passage of pedestrians, vehicles, carriages and other like purposes, connecting the north and south shores of the 25
St. Lawrence River approximately one mile upstream from the western limits of the city of Trois-Rivières in the province of Quebec.

Submission
of plans for
approval.

2. The said bridge shall be constructed and located under, and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes and to such end La Corporation du Pont de Trois-Rivières shall submit to the Governor in Council, 5
for examination and approval a design and drawing of the bridge and a map of the location, giving the soundings accurately, showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of 10
the subject, and until the said plans and location are approved by the Governor in Council the said bridge shall not be built or commenced; and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council 15
and shall not be made or commenced until it is so approved.

Time for
commence-
ment and
completion
of bridge.

3. The construction of the said bridge shall be commenced within three years after the plans therefor have been approved by the Governor in Council and shall be completed within four years after such commencement, 20
otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within three years after the passing of this Act, the powers granted for the construction 25
of the said bridge shall cease and be null and void.

Proviso.

SCHEDULE.

An Act respecting the construction of a bridge over the St. Lawrence river, near the city of Trois-Rivières.

(Assented to 2nd February, 1956.)

WHEREAS it is in the interest of the cities, towns, villages and parishes situated in the electoral districts of Three Rivers, Maskinonge, Champlain, Saint-Maurice, Laviolette, Nicolet, Lotbinière, Drummond and Arthabaska, and of the whole province, to construct a bridge connecting both sides of the St. Lawrence River in the neighbourhood of the city of Trois-Rivières;

Whereas, to build such bridge it is necessary to create a corporation with the powers requisite for that purpose;

Whereas, in order to repay the cost of construction and ensure the operation and maintenance, of such bridge it will have to be subject to tolls;

Therefore, Her Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. For the purposes of this act, the word "corporation" shall designate the corporation constituted by the present act.

2. A corporation without share-capital and for no pecuniary gain is hereby instituted under the name of "Corporation du Pont de Trois-Rivières", for the purposes hereinafter mentioned.

3. Such corporation shall be composed of six members, namely, John F. Wickenden, professional engineer, J. Henri René de Cotret, chartered accountant, Frank Spenard, broker, Maurice Langlois, professional engineer, and Francois Nobert, advocate, all five of Trois-Rivières, and one member to be appointed by the Municipal Council of the City of Trois-Rivières, such appointment to be made during the month following the coming into force of this act.

4. The corporation shall elect a president and a secretary from among its members. It shall also elect a treasurer from among its members or otherwise.

5. The affairs of the corporation shall be managed by its members; four of them shall form a quorum.

6. Any vacancy or vacancies among the members of the corporation, occasioned by death, sickness, lack of appointment or other cause, shall in no way affect the rights and powers of the corporation acting by its other members.

7. The appointive member shall be appointed for a term of three years, and shall be re-eligible.

8. Vacancy among the appointive members shall be filled by the authority that appointed the member to be replaced, and vacancies among the five other members shall be filled by majority decision of the corporation.

9. In case of an equality of votes, the president shall have a casting vote.

10. The remuneration, if any, of the president, secretary, treasurer and members shall be fixed by the corporation, subject to the approval of the municipal council of the city of Trois-Rivières.

11. The corporation may adopt and amend, from time to time, by-laws not inconsistent with this act for its government and the conduct of its affairs; such by-laws shall come into force only after their publication in the *Quebec Official Gazette*.

12. The corporation may engage such employees as it deems needful, fix their remuneration and determine their duties.

13. The purpose of the corporation shall be to build, maintain and operate a bridge connecting the north and south shores of the St. Lawrence river about one mile above the western limits of the city of Trois-Rivières, as well as the approaches giving access from the said bridge to the public road.

14. Without limiting the generality of the powers granted thereto by this act, the corporation may:

- a. have a seal;
- b. appear before the courts and enter into contracts;
- c. acquire, possess, administer, exploit and alienate such property as it deems useful for its purposes and make contracts for such purposes;
- d. borrow the moneys which it deems necessary for the attainment of the objects for which it is formed;
- e. issue debentures or other securities of the corporation at such times, in such forms, for such sums, in such denominations, bearing such dates, maturing at such dates, bearing such rates of interest, redeemable before maturing at such prices, profiting by such amortization funds, payable at such places in Canadian money or in other currency, containing such other terms, conditions and other characteristics, the whole as the corporation may determine, and sell such debentures or other securities or dispose thereof at such prices, at par, at a premium or discount, and on such conditions as the corporation shall decide.
- f. notwithstanding the provisions of the Civil Code, mortgage, hypothecate or pledge the moveable or immoveable property, present or future, including the revenues of the corporation, to secure the payment of such debentures or other securities, or give a part only of such guarantees for the same purposes; and constitute the mortgage, hypothecation or

pledge above mentioned by trust deed, in accordance with sections 23 and 24 of the Special Corporate Powers Act (chapter 280), or in any other way;

- g. hypothecate or pledge the immoveables, or pledge or otherwise encumber in any manner the moveable property of the corporation, or give such various kinds of guarantees, to ensure the payment of borrowings made otherwise than by the issue of debentures, as well as the payment or performance of the other debts, contracts and liabilities of the corporation;
- h. give receipts for any money payable to the corporation and for any claim of the same;
- i. draw, make, accept, endorse, discount, subscribe and issue bills of exchange, bills of lading and other negotiable instruments;
- j. delegate to one or more of its members or to one of the members jointly with one or more other persons, the authority to sign, for and on behalf of the corporation, bills of exchange, receipts, discharges, endorsements, cheques, bonds, title-deeds, contracts and all other documents;
- k. generally, do all acts and things necessary or useful for the exercise of its powers and the attainment of its objects.

15. The plans and specifications of the said bridge and its approaches must be submitted for approval to the municipal corporations where shall be situated the bridge and its approaches.

16. The corporation may acquire, by agreement or by expropriation, all immoveables and real or other rights of which it anticipates to be in need for the construction and operation of the said bridge and its approaches.

The proceedings in expropriation shall be those enacted in articles 1066a and following of the Code of Civil Procedure and the carrying out of the right of expropriation must be submitted for previous approval to the Lieutenant-Governor in Council.

17. Subject to the approval of the Provincial Transportation Board, the corporation may establish, revise, impose and collect tolls, charges and rents and also enter into contracts for the use of the bridge and of its services and facilities, so that the operating revenues may always be sufficient to cover the maintenance and operation costs, including depreciation, of the bridge and its approaches, and also to provide for the reimbursement of the capital, the premium if any, and the interest on the securities issued by the corporation as well as on other loans, and to create reserves for such purposes.

18. The municipal and school corporations within which territory are situated the property of the corporation are authorized to grant by mere resolution with respect to such property an exemption or commutation of municipal and school taxes for a period of ten years taking effect from the day when the property shall be assessed and taxed.

19. The corporation must submit annually a complete and detailed financial statement of its operations to the Provincial Transportation Board.

20. The corporation shall acquire from the corporation of the city of Trois-Rivières, which shall sell, provided it be authorized for such purposes by the electors who are property owners of Trois-Rivières according to law, all the moveables and immoveables of the ferry service between the city of Trois-Rivières and the south shore of the St. Lawrence river, including, but not restrictively, the ferry-boats, the rights of the wharfs and lands, the buildings, and generally everything used in the operating and maintaining of the said ferry; the price to be paid to the corporation of the city of Trois-Rivières, if the parties fail to agree, shall be determined by the Public Service Board of the Province of Quebec; the cost of such purchase shall be deemed as forming part of the cost of the bridge.

21. All powers granted by sections 13, 15, 16, 17, 18 and 22 of this act shall be subject to the acquisition by the corporation and according to law of the said ferry-service between the city of Trois-Rivières and south shore.

22. During a period of eight years as from the sanction of this act and afterwards during the whole period of the utilization of the proposed bridge, no other person shall construct or operate a bridge, tunnel or ferry service over or under the St. Lawrence river between the north shore and the south shore and this, within a radius of twenty-five miles below the site of the said bridge, subject however, to the rights of the corporation of the city of Trois-Rivières in the ferry service operated by it.

23. This act shall come into force on the day of its sanction.